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NEW YORK TIMES
17 January 1985

Agent Defends Code Name for Spying Case

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Special to The New York Times

LOS ANGELES, Jan. 16 — At a pretrial hearing today for Richard W. Miller, the agent of the first Federal Bureau of Investigation charged with espionage, a bureau agent who took part in the inquiry testified that he named the investigation "Whipworm" to signify "an internal parasite."

The agent, Graham Van Note, denied under questioning by one of Mr. Miller's attorneys that he had Mr. Miller specifically in mind when he named the investigation. Mr. Miller's lawyers have suggested that the term implied bias against Mr. Miller by suggesting he was preying on his own agency's intelligence operations.

Mr. Van Note said his first selection from the dictionary for the name of the investigation had been "whippet," but that after learning that word had already been used by the bureau his eye fell on "whipworm." He said he thought it was "appropriate."

'Possibility of Mr. Miller'

"Anyone who was an agent for Soviet intelligence would be a parasite," Mr. Van Note said. He said that on the date he chose the name, last Sept. 1, he thought "someone was an agent for the Soviet intelligence service" and that that was "a possibility of Mr. Miller, or Svetlana Ogorodnikov."

Mr. Miller, an agent for 20 years who was assigned to the counterespionage unit in the bureau's Los Angeles office, is charged with conspiracy to pass classified Government information to a Soviet émigré couple, Svetlana and



Richard W. Miller

Nikolay Ogorodnikov. All three are facing trial beginning Feb. 12. They face up to life in prison if convicted.

Mr. Van Note, who is with the bureau's intelligence division at its headquarters in Washington, said he was assigned to investigate the Miller-Ogorodnikov relationship in the last week in August and came to Los Angeles Sept. 2.

Mr. Van Note's testimony indicated that the bureau became suspect of the activities of Mr. Miller and two accused émigrés at least as early as late August, more than a month before they were arrested on Oct. 2.

Sixth Day of the Hearing

The testimony by F.B.I. personnel continued in the sixth day of a pretrial hearing before Federal District Judge David V. Kenyon on motions by Mr. Miller. One of the motions seeks to exclude incriminating statements he said he had made involuntarily to his bu-

reau interrogators after what he charged was improper coercion from his superior, Richard T. Bretzing.

Mr. Miller was a member of the Church of Jesus Christ of Latter-day Saints who was excommunicated last year. Mr. Bretzing is a bishop in the church. Mr. Miller has contended in court that Mr. Bretzing exerted improper religious pressure on him as a former Mormon to make "repentance" for any wrongdoing and that this caused him to make unintended statements concerning details of his activities with the Russian couple.

In one of those statements, according to Government documents filed with the court, Mr. Miller admitted that he had passed classified documents to Mrs. Ogorodnikov. Mr. Miller maintains that he was attempting to infiltrate the K.G.B., the Soviet secret police, for whom he believed the Ogorodnikovs were agents.

A 'Spiritual' Appeal Made

Mr. Bretzing testified Tuesday that he had appealed to Mr. Miller's "spiritual" conscience in urging him to disclose details of his purported spying activities. But Mr. Bretzing denied that his actions constituted religious pressure.

Mr. Bretzing testified that he had told Mr. Miller he was speaking only in his capacity as the head of the bureau's office in Los Angeles and not as a religious authority figure.

"I had no ecclesiastical authority over Mr. Miller," Mr. Bretzing said. "I was appealing to any sense of right that might be left in him."

Mr. Bretzing said that his concern was to assess "the potential damage to national security" that Mr. Miller's actions might have caused. He said he was concerned that the lives of American intelligence operatives might have been compromised.